

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF IOWA  
CEDAR RAPIDS DIVISION

FILED  
U.S. DISTRICT COURT  
NORTHERN DISTRICT OF IOWA

OCT 26 2004

CEDAR RAPIDS HDOTRS OFFICE

JAMES PADDOCK,	)	BY _____
	)	
Plaintiff,	)	NO. CV04-1033 LRR
	)	
vs.	)	
	)	
THE ARCHDIOCESE OF DUBUQUE,	)	SCHEDULING ORDER AND
	)	DISCOVERY PLAN
Defendant.	)	

Counsel have conferred and submit the following case information and proposed dates for case management:

1. Did the parties enter into an agreement at the Rule 26(f) conference resolving all issues relating to initial disclosures?  yes \_\_\_\_\_ no. If you answer "no," state whether any party objected at the Rule 26(f) conference to making or to the timing of the initial disclosures: \_\_\_\_\_ yes \_\_\_\_\_ no

*If any party objected at the Rule 26(f) conference to making or to the timing of the initial disclosures, then the objecting party must, within 10 days after this order and plan has been filed, serve and file a document in which the objections are set forth with particularity.*

If the parties have agreed to a deadline for making the initial disclosures, state the date by which the initial disclosures will be made: **1/29/05**

2. Deadline for motions to add parties: **3/5/05**

3. Deadline for motions to amend pleadings: **3/5/05**

4. Expert witnesses disclosed by:

a) Plaintiff:	<b>4/5/05</b>
b) Defendant:	<b>6/3/05</b>
c) Plaintiff Rebuttal:	<b>7/4/05</b>

5. Deadline for **completion** of discovery: **9/3/05**

6. Dispositive motions deadline (**at least 120 days before Trial Ready Date**): **10/3/05**

7. Trial Ready Date (**at least 120 days after Dispositive Motions Date**): **2/3/06**

8. Has a jury demand been filed?  yes \_\_\_\_\_ no

9. Estimated length of trial: **5 - 7 days**

10. Settlement conference (choose one of the following):

(a) X A court-sponsored settlement conference should be set by the court at this time for a date after **10/29/05**; or

(b) \_\_\_\_\_ A court-sponsored settlement conference is not necessary at this time.

11. Should the court order a court-sponsored scheduling and planning conference pursuant to Fed. R. Civ. P. 16(b) and 26(f)? \_\_\_\_\_ yes X no

12. Do the parties unanimously consent to trial, disposition and judgment by a U.S. Magistrate Judge, with appeal to the Eighth Circuit Court of Appeals pursuant to 28 U.S.C. § 636(c)(3)?

yes \_\_\_\_\_ no

\_\_\_\_\_ /s/ \_\_\_\_\_

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Attorney for Third-Party Defendant\Other:

**Address:**

Telephone:

**Facsimile:**

E-mail address:

**The proposed scheduling order and discovery plan is approved and adopted by the Court. Therefore, a scheduling conference will not be set at this time.**

  
**JOHN A. HARVEY**  
**MAGISTRATE JUDGE**  
**U.S. DISTRICT COURT**

DATED this \_\_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
**MAGISTRATE JUDGE**  
**UNITED STATES DISTRICT COURT**

**ORDER OF REFERENCE**

**IT IS HEREBY ORDERED** that this case is referred to a U.S. Magistrate Judge for the conduct of all further proceedings and the entry of judgment in accordance with 28 U.S.C. § 636(c) and the consent of the parties.

DATED this 26 day of Oct 2004.

  
**LINDA O. SJADE**  
**UNITED STATES DISTRICT JUDGE**